



TO: John McDonough, City Manager

FROM: Garrin M. Coleman, P.E., Public Works Director

DATE: March 10, 2017, for Submission onto the Consent Agenda of the March 21, 2017 Mayor and City Council Meeting

ITEM: Consideration of the Acceptance of the Dedication of Right of Way as part of the Development Regulations Ordinance requirements related to Community Development File # 201400201.

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***Recommendation:***

Staff recommends that the Mayor and City Council accept the right of way deed dedicating all that tract or parcel of land lying and located in Land Lot 90 of the 17<sup>th</sup> District, Fulton County, Georgia. The property as shown in the attached exhibits is being dedicated by the property owner, Development Authority of Fulton County, and is more specifically known as being 180 Allen Road. The dedicated right of way totals 146.00 square feet and is being dedicated as required by the Development Regulations Ordinance in Connection with Community Development File# 201400201.

***Background:***

Section 103-75 of the Development Regulations specifies a minimum-required right of way width based on street classifications. Such width must be dedicated prior to the approval of an Exemption Plat, Final Plat or a Land Disturbance Permit submittal. Property specific zoning conditions may increase or reduce the required right of way amount. Additionally, the right of way must be either the minimum width from centerline, 11' from the back of curb or 1' behind the sidewalk, whichever is greater.

Right of way is being dedicated along the parcel's Allen Road frontage per the requirements/conditions of the Development Regulations Ordinance. The property owner has paid the recording fees and met the requirements of the Transportation Services Unit of the Public Works Department and the City's Right of Way Specialist for the dedication of the right of way.

***Discussion:***

N/A

***Alternatives:***

N/A

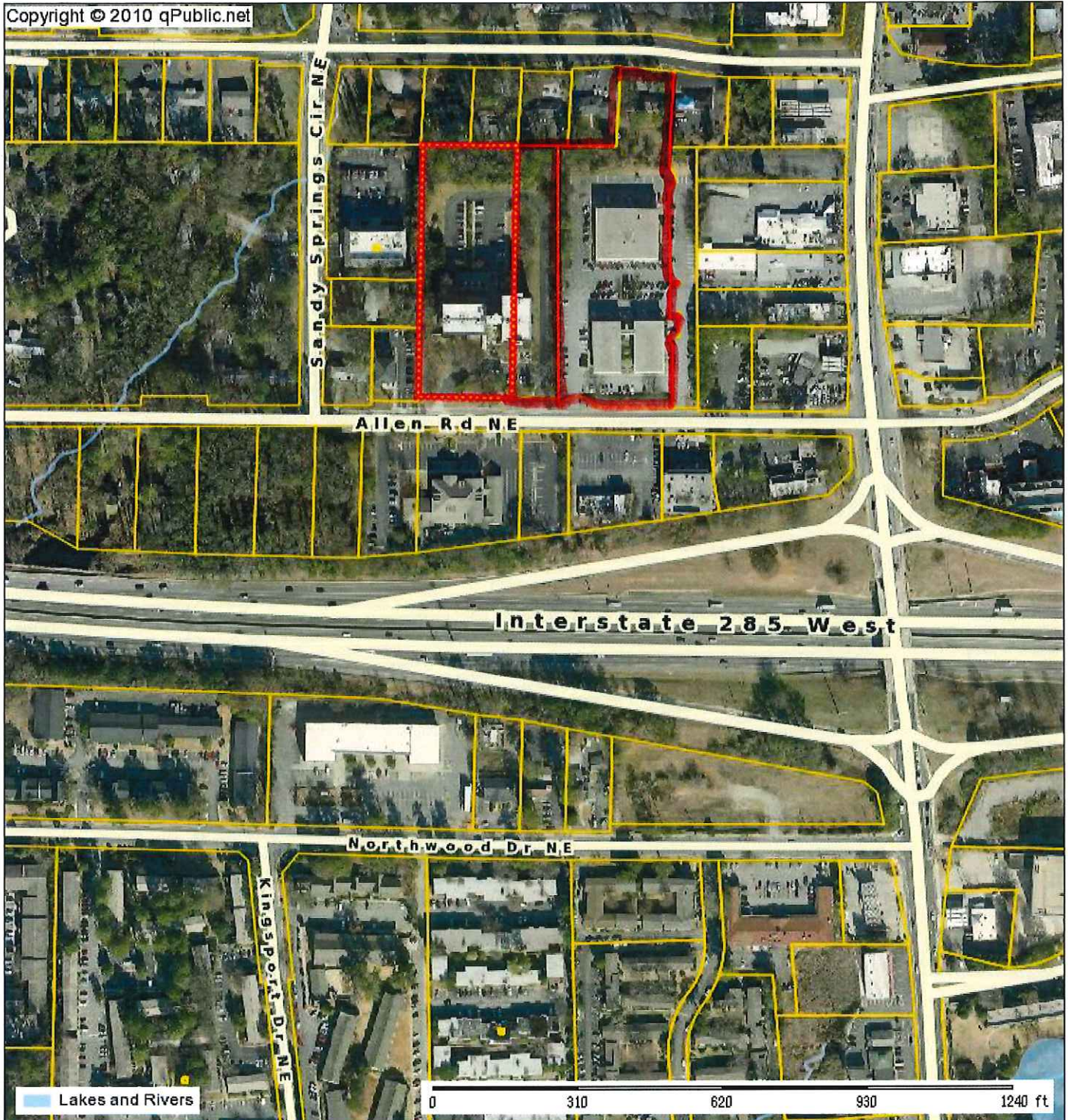
***Financial Impact:***

None. This is a dedication at no cost to the City.

***Attachments:***

- I. Exhibits
  - ) Aerial and GIS Maps
  - ) Executed Right of Way Deed of Dedication including Plats and Legal Descriptions
- II. Resolution





## Fulton County Assessor

Parcel: 17 009000010301 Acres: 2.5023

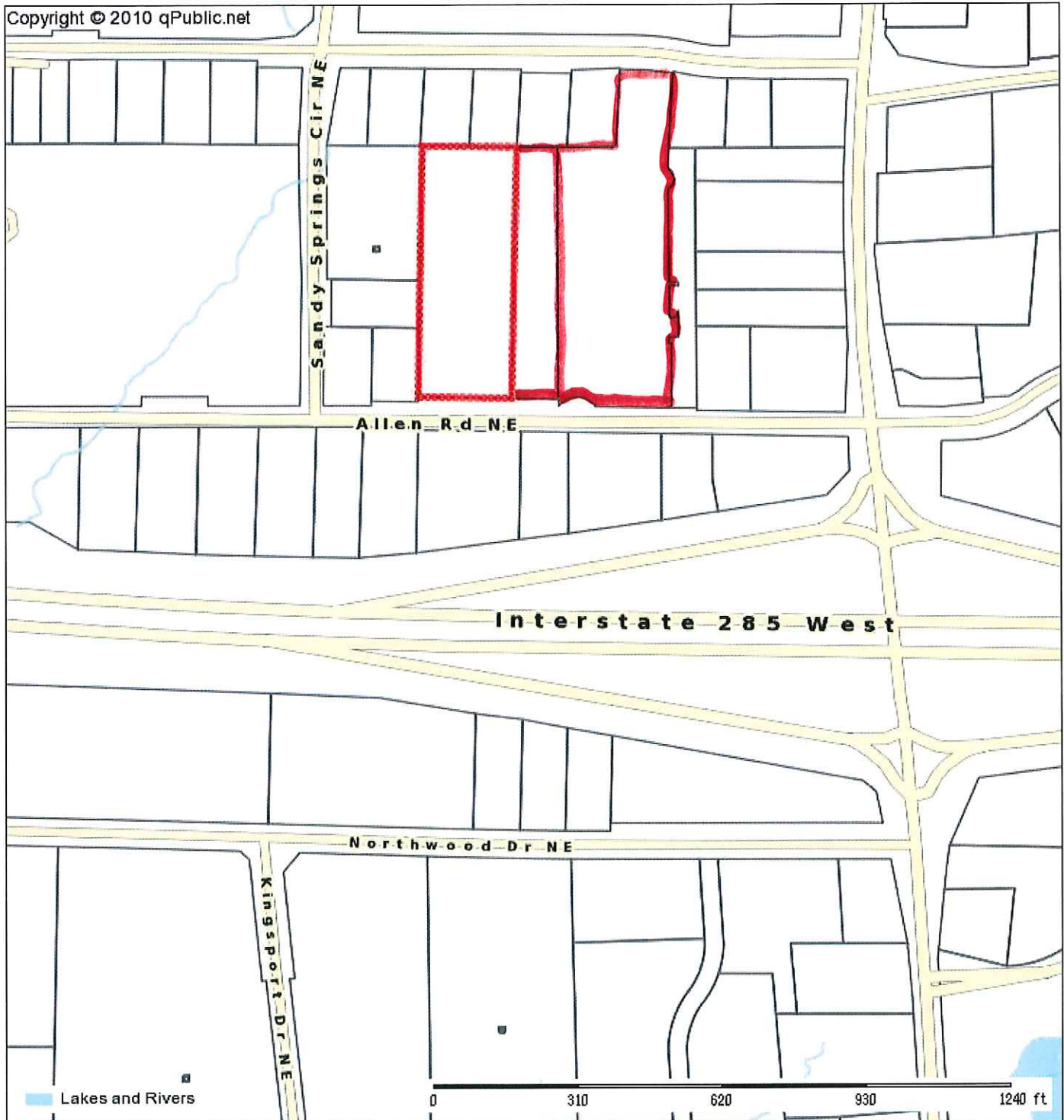
Name:	HOUSING AUTH OF FULTON COUNTY	Land Value:	900300
Site:	144 ALLEN RD	Building Value:	3651500
Sale:		Misc Value:	
Mail:	739 WEST PEACHTREE ST NE ATLANTA, GA 30308	Total Value:	4551800



Fulton County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

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**Fulton County Assessor**

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Date printed: 03/20/17 : 09:53:30

PLEASE RETURN TO:  
City Clerk's Office  
Sandy Springs City Hall  
7840 Roswell Road Bldg 600  
Sandy Springs, Georgia 30350

CLERK: Please return this document to:  
Bret L. Block, Esq.  
Fine and Block Attorneys  
2060 Mount Paran Road, N.W.  
Paran Place, Suite 106  
Atlanta, Georgia 30327

GEORGIA ::

FULTON COUNTY ::

**RIGHT OF WAY DEED**

THIS CONVEYANCE made and executed the \_\_\_\_ day of \_\_\_\_\_, 2017.

WHEREAS, the undersigned is the owner of the within described property (the "Property"),

For and in consideration of the benefits which will accrue to the undersigned from laying out, construction, and otherwise improving and maintaining a public road across the Property of the undersigned, the undersigned does hereby grant, bargain, sell, convey, and dedicate to the City of Sandy Springs, a municipal corporation of the State of Georgia, for public right-of-way purposes, all right, title and interest which the undersigned has or may have in and to the Property, to wit:

That tract or parcel of land lying and being in Land Lot 90, 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia, being more particularly described in Exhibit "A" attached hereto and made a part hereof.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal as of the date  
and year first written above.

**DEVELOPMENT AUTHORITY  
OF FULTON COUNTY**


By:   
Chairman


Attest:

  
Assistant Secretary

(SEAL)

Signed, sealed and delivered  
in the presence of:

  
Witness

  
Notary Public

[NOTARY SEAL]



Z:\jblock\ECI\Allen Road\ROW Deed\right of way deed 01\_09\_17.docx

## EXHIBIT "A"

### PROPERTY DESCRIPTION

#### **Right-of-Way Take along Allen Road, Area #1**

Being all that tract or parcel of land lying and being in Land Lot 90, 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2 inch rebar set on the northerly right-of-way of Allen Road (having an apparent 50' right-of-way at said Point of Commencement) said rebar set 320 feet +/- westerly along the aforesaid right-of-way of Allen Road from the intersection of said northerly right-of-way of Allen Road and the westerly right-of-way of Roswell Road per record information; thence, continuing with the said right-of-way of Allen Road (being an apparent variable width right-of-way at this point) North 00° 02' 00" East, 5.00 feet; thence, North 89° 47' 00" West, 136.99 feet to a point and the POINT OF BEGINNING.

Thence, from the said POINT OF BEGINNING as thus established and continuing with the said right-of-way line of Allen Road

1. North 89° 47' 00" West, 49.40 feet; thence, leaving the said right-of-way line of Allen Road
2. 11.45 feet along the arc of a curve to the left, having a radius of 46.00 feet and being subtended by a chord of North 83° 02' 55" East, 11.42 feet; thence,
3. 26.95 feet along the arc of a curve to the right, having a radius of 54.00 feet and being subtended by a chord of South 89° 47' 00" East, 26.67 feet; thence,
4. 11.51 feet along the arc of a curve to the left, having a radius of 46.00 feet and being subtended by a chord of South 82° 39' 10" East, 11.48 feet to the POINT OF BEGINNING, containing 79 square feet or 0.0018 acres of property, more or less.

Described property is subject to all easements and rights of way recorded and unrecorded.

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#### **TOGETHER WITH:**

#### **Right-of-Way Take along Allen Road, Area #2**

Being all that tract or parcel of land lying and being in Land Lot 90, 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2 inch rebar set on the northerly right-of-way of Allen Road (having an apparent 50' right-of-way at said Point of Commencement) said rebar set 320 feet +/- westerly along the aforesaid right-of-way of Allen Road from the intersection of said northerly right-of-way of Allen Road and the westerly right-of-way of Roswell Road per record information; thence, continuing with the said right-of-way of Allen Road (being an apparent variable width right-of-way at this point) North 00° 02' 00" East, 5.00 feet; thence, North 89° 47' 00" West, 215.31 feet to a point and the POINT OF BEGINNING.

Thence, from the said POINT OF BEGINNING as thus established and continuing with the said right-of-way line of Allen Road

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### PROPERTY DESCRIPTION

1. North 89° 47' 00" West, 39.72 feet; thence, leaving the said right-of-way line of Allen Road
2. 9.17 feet along the arc of a curve to the left, having a radius of 46.00 feet and being subtended by a chord of North 84° 28' 10" East, 9.15 feet; thence,
3. 21.59 feet along the arc of a curve to the right, having a radius of 54.00 feet and being subtended by a chord of South 89° 47' 00" East, 21.45 feet; thence,
4. 9.23 feet along the arc of a curve to the left, having a radius of 46.00 feet and being subtended by a chord of South 84° 04' 26" East, 9.21 feet to the POINT OF BEGINNING, containing 41 square feet or 0.0009 acres of property, more or less.

Described property is subject to all easements and rights of way recorded and unrecorded.

Z:\jblock\EC\Allen Road\ROW Deed\Area 2 Legal Description 12\_15\_16.doc

### TOGETHER WITH:

#### **Right-of-Way Take along Allen Road Area #3)**

Being all that tract or parcel of land lying and being in Land Lot 90, 17<sup>th</sup> District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2 inch rebar set on the northerly right-of-way of Allen Road (having an apparent 50' right-of-way at said Point of Commencement) said rebar set 320 feet +/- westerly along the aforesaid right-of-way of Allen Road from the intersection of said northerly right-of-way of Allen Road and the westerly right-of-way of Roswell Road per record information; thence, continuing with the said right-of-way of Allen Road (being an apparent variable width right-of-way at this point) North 00° 02' 00" East, 5.00 feet; thence, North 89° 47' 00" West, 271.97 feet to a point and the POINT OF BEGINNING.

Thence, from the said POINT OF BEGINNING as thus established and continuing with the said right-of-way line of Allen Road

1. North 89° 47' 00" West, 23.99 feet; thence, leaving the said right-of-way line of Allen Road
2. 10.67 feet along the arc of a curve to the right, having a radius of 14.00 feet and being subtended by a chord of North 79° 57' 57" East, 10.41 feet; thence,
3. South 78° 11' 51" East, 4.56 feet; thence,
4. 9.33 feet along the arc of a curve to the left, having a radius of 46.00 feet and being subtended by a chord of South 84° 00' 33" East, 9.32 feet to the POINT OF BEGINNING, containing 26 square feet or 0.0006 acres of property, more or less.

Described property is subject to all easements and rights of way recorded and unrecorded.

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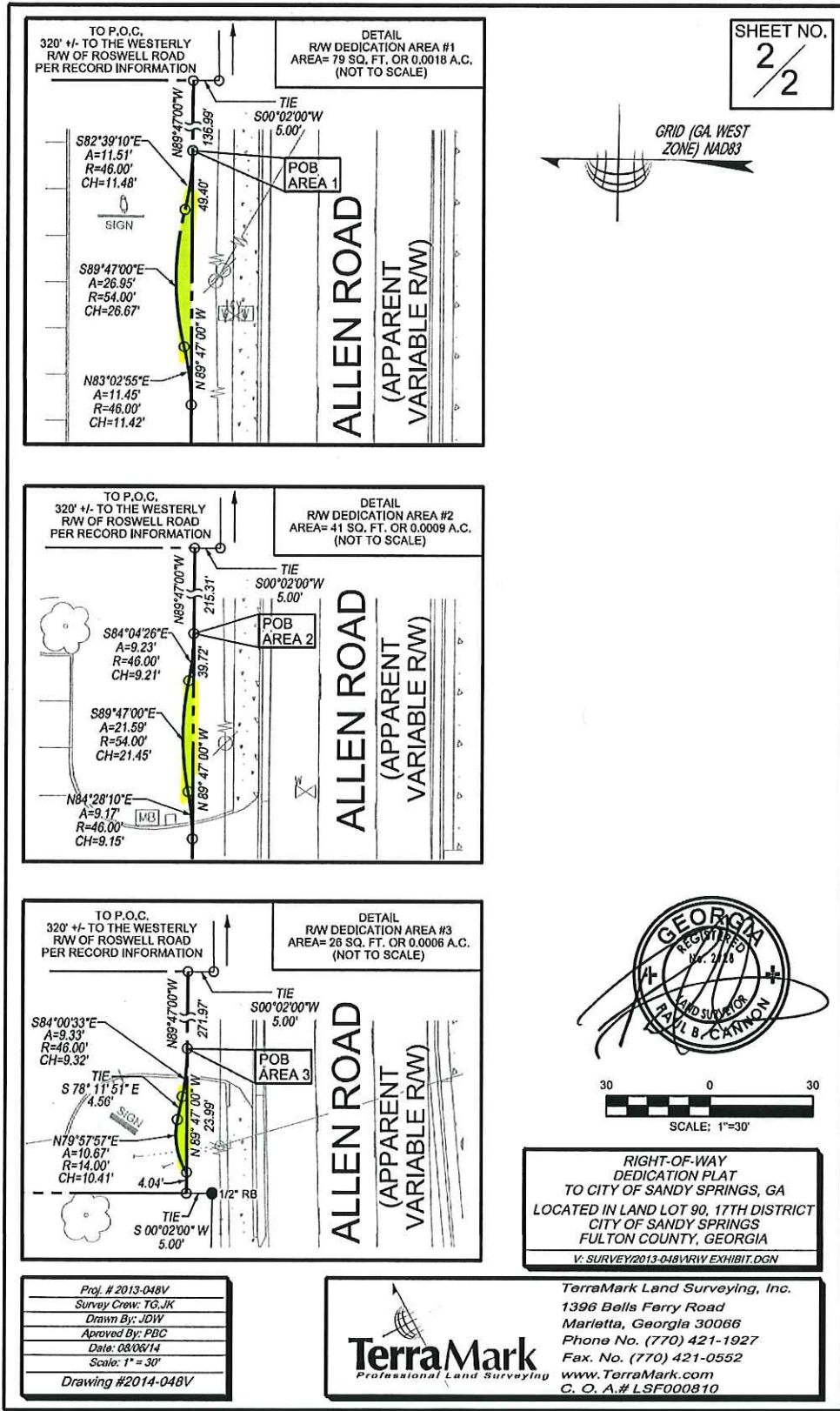


## PROPERTY DESCRIPTION



# EXHIBIT "A"

## PROPERTY DESCRIPTION



STATE OF GEORGIA  
COUNTY OF FULTON

**A RESOLUTION TO ACCEPT THE DEDICATION OF RIGHT OF WAY  
ON PROPERTY LOCATED IN LAND LOT 90 OF THE 17<sup>th</sup> DISTRICT,  
FULTON COUNTY, CITY OF SANDY SPRINGS, GEORGIA**

**WHEREAS**, it is necessary, from time to time, to establish policies, procedures and guidelines consistent with the administration of a municipal government consistent with the US Constitution, Federal Statutes, alignment with Federal, Georgia's State Constitution, and the Charter for the City of Sandy Springs, and

**WHEREAS**, the City Manager directed the Department of Public Works to develop standard policies for recurring matters, to establish appropriate internal controls and legal compliance, and to provide for an efficient and effective means to serve constituents; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA**

That they approve the acceptance of the dedication of a Right of Way Deed from Development Authority of Fulton County, on property more particularly described as being 180 Allen Road, Sandy Springs, Georgia. This dedication is associated with Community Development File# 201400201.

As required per conditions of the Development Regulations Ordinance, the City authorizes the acceptance of the required 146.00 square feet of Right of Way along Allen Road in land lot 90 of the 17<sup>th</sup> District, Fulton County, City of Sandy Springs, Georgia.

**RESOLVED** this the 21<sup>st</sup> of March 2017.

Approved:

\_\_\_\_\_  
Russell K. Paul, Mayor

Attest:

\_\_\_\_\_  
Michael Casey, City Clerk  
(Seal)